

By: Carter

H.B. No. 1846

A BILL TO BE ENTITLED

AN ACT

relating to suspension or denial of issuance or renewal of a license for failure to pay child support.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 232.008, Family Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Subject to Subsection (b-1), the ~~[The]~~ court or Title IV-D agency may stay an order suspending a license conditioned on the individual's compliance with:

(1) a reasonable repayment schedule that is incorporated in the order;

(2) the requirements of a reissued and delivered subpoena; or

(3) the requirements of any court order pertaining to the possession of or access to a child.

(b-1) The court or Title IV-D agency may not stay an order under Subsection (b)(1) unless the individual makes an immediate partial payment in an amount specified by the court or Title IV-D agency. The amount specified may not be:

(1) less than \$200; or

(2) greater than 20 percent of the total arrearages owed.

SECTION 2. Section 232.0135(b), Family Code, is amended to

1 read as follows:

2 (b) A licensing authority that receives the information
3 described by Subsection (a) shall refuse to accept an application
4 for issuance of a license to the obligor or renewal of an existing
5 license of the obligor until the authority is notified by the child
6 support agency that the obligor has:

7 (1) paid all child support arrearages;

8 (2) made an immediate payment of not less than \$200
9 toward child support arrearages owed and established with the
10 agency a satisfactory repayment schedule for the remainder or is in
11 compliance with a court order for payment of the arrearages;

12 (3) been granted an exemption from this subsection as
13 part of a court-supervised plan to improve the obligor's earnings
14 and child support payments; or

15 (4) successfully contested the denial of issuance or
16 renewal of license under Subsection (d).

17 SECTION 3. (a) Section 232.008(b-1), Family Code, as added
18 by this Act, applies only to an order suspending a license that is
19 rendered on or after the effective date of this Act. An order
20 suspending a license rendered before the effective date of this Act
21 is governed by the law in effect on the date the order was rendered,
22 and the former law is continued in effect for that purpose.

23 (b) Section 232.0135(b), Family Code, as amended by this
24 Act, applies only to a notice provided under Section 232.0135(a),
25 Family Code, on or after the effective date of this Act. A notice
26 provided under Section 232.0135(a), Family Code, before the
27 effective date of this Act is governed by the law in effect on the

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1 date the notice was provided, and the former law is continued in
2 effect for that purpose.

3 SECTION 4. This Act takes effect September 1, 2013.